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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT SEATTLE**

10 MASTERS SOFTWARE, INC, a Texas
11 Corporation,

12 Plaintiff,

13 v.

14 DISCOVERY COMMUNICATIONS, INC, a
15 Delaware Corporation; THE LEARNING
16 CHANNEL, INC, a Delaware Corporation;
17 THE LEARNING CHANNEL, LLC, a
18 Delaware Limited Liability Company;
19 BARTOLO "BUDDY" VALASTRO, an
20 individual,

21 Defendants.

No.

**COMPLAINT FOR FEDERAL
TRADEMARK INFRINGEMENT,
FEDERAL UNFAIR COMPETITION,
FEDERAL COUNTERFEITING,
REVERSE CONFUSION, COMMON
LAW TRADEMARK
INFRINGEMENT, VIOLATION OF
THE WASHINGTON STATE
CONSUMER PROTECTION ACT,
AND TORTIOUS INTERFERENCE
WITH CONTRACTUAL
RELATIONSHIP**

[JURY TRIAL DEMANDED]

22 Plaintiff, Masters Software, Inc. ("Plaintiff") through its undersigned counsel, makes the
23 following allegations and requests for relief:

24 **I. PARTIES**

- 25 1. Plaintiff, Masters Software, Inc is a Texas corporation having its principal place of
26 business at 1525 Cypress Creek Road, Suite H-192, Cedar Park, TX 78613.
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- 1 2. Discovery Communications in a Delaware corporation having its corporate office at One
2 Discovery Place, Silver Spring, Maryland, 20910.
- 3 3. The Learning Channel is a subsidiary of Discovery Communications and a television
4 network broadcasting in Washington State.
- 5 4. Bartolo "Buddy" Valastro is an individual having his principal place of business at 95
6 Washington Street, Hoboken, New Jersey, 07030, and is the star of The Learning Channel
7 television series "Cake Boss."
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10 **II. JURISDICTION AND VENUE**

- 11 5. The United States District Court has subject matter jurisdiction under 15 U.S.C. §1121,
12 and 28 U.S.C. §1338(a) in that this case arises under the Trademark Laws of the United
13 States, 15 U.S.C. §1051 et seq.
- 14 6. This Court has jurisdiction of the state common law, state Consumer Protection Act,
15 unfair competition, and tortuous interference claims herein under the provisions of 28
16 U.S.C. §1338 (b) in that said claims are joined with a substantial and related claim under
17 the Trademark Laws of the United States, 15 U.S.C. §1051 et seq.
- 18 7. This Court has personal jurisdiction over all the parties.
- 19 8. Venue is proper pursuant to 28 U.S.C. §1391(b).
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22 **III. FACTUAL BACKGROUND**

- 23 9. Continuously since on or about May 1, 2007, Plaintiff has used the mark CAKEBOSS in
24 interstate commerce to identify its Computer Software, online baking instruction, and
25 online information in the field of culinary arts. Plaintiff has used the mark to distinguish
26 its products from those made and sold by others, by, and among other things, prominently
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1 displaying the mark CAKEBOSS on the goods, their containers and the displays
2 associated therewith. In addition, Plaintiff has prominently displayed said mark on
3 websites, invoices, and advertisements distributed throughout the United States.

4 10. On April 4, 2009, Plaintiff filed an application for registration of the CAKEBOSS mark in
5 the United States Patent and Trademark Office. On February 9, 2010, said mark was
6 registered in the United States Patent and Trademark Office on the Principal Register
7 under the Act of 1946, covering the use of said mark on “Computer software for bakery
8 business management, namely financial, recipe, order, time, and contract management
9 tools” in Class 9, “Providing online instruction in the field of baking cakes via a global
10 computer network” in Class 41, and “Providing information in the field of culinary arts
11 about baking for baking enthusiasts via a global computer network” in Class 43. A copy
12 of the registration is attached hereto as Exhibit A. The registration is valid and has never
13 been cancelled.
14

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16 11. Plaintiff is the owner of federal trademark registration number 3,746,204 for
17 CAKEBOSS.

18 12. Plaintiff purchased the domain name www.cakeboss.com in February 2006.

19 13. Plaintiff launched the www.cakeboss.com website in January 2007.

20 14. Since on or about May 1, 2007, Plaintiff has given Defendants and the world constructive
21 notice of its common law rights to the mark CAKEBOSS by prominently and
22 continuously displaying the mark on all products.
23

24 15. Plaintiff has invested substantial time, effort and financial resources promoting its
25 CAKEBOSS trademark in connection with the marketing and sale of its goods in
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1 interstate commerce. The CAKEBOSS trademark has become an asset of substantial
2 value as a symbol of Plaintiff, its quality of products and its good will.

3 16. Plaintiff's CAKEBOSS trademark is inherently distinctive as applied to Plaintiff's goods
4 that bear the mark.

5 17. Defendants have used Plaintiff's mark in interstate commerce by various acts, including
6 producing and airing a television show titled "CAKE BOSS," and by displaying the mark
7 CAKE BOSS on television, websites, online tutorials, and online recipes. Defendants
8 have offered for sale and advertised such television show and related items under the
9 name CAKE BOSS.
10

11 18. Defendants' use of the CAKE BOSS name is without permission or authority of Plaintiff
12 and said use by defendant is likely to cause confusion, to cause mistake, and to deceive.

13 19. Defendants' use of the CAKE BOSS name has caused actual confusion.

14 20. Defendants' products are similar to Plaintiff's products in that they both relate to cake
15 baking, baking instruction, and entertainment for baking enthusiasts.

16 21. Defendants' CAKE BOSS mark is similar in sight, sound, and appearance. Both marks
17 are pronounced the same. The only difference between the two marks is a single space
18 between the words Cake and Boss in Defendants' use of the mark.
19

20 22. Plaintiff has received over 90 e-mails and letters addressed to Plaintiff, but intended for
21 Defendant. The mail includes pictures, drawings, requests for meetings with Defendant
22 Valastro, and requests for cakes made by Defendant Valastro.

23 23. Plaintiff routinely encounters instances of actual confusion where consumers associate
24 Defendants' television series and Plaintiff's software, website recipes, and/or online
25 instruction as one in the same.
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1 24. Defendants' use of the CAKE BOSS name without permission or authority of Plaintiff
2 amounts to trademark infringement and unfair competition.

3 25. Defendants heretofore alleged acts of trademark infringement and unfair competition have
4 been committed with the intent to cause confusion, mistake and to deceive.

5 26. Defendant affixed a CAKE BOSS designation to its products, even though Defendants'
6 products are not affiliated with, nor do they originate from Plaintiff.

7 27. On or about March 23, 2009, Plaintiff learned of Defendants' plans to release a television
8 series titled Cake Boss.

9 28. On or about March 25, 2009, Plaintiff provided Defendants with actual notice of
10 Plaintiff's trademark rights related to the CAKEBOSS mark.

11 29. On or about March 25, 2009, Plaintiff called the legal department of Defendant Discovery
12 Communications, and requested that defendants cease and desist from their unauthorized
13 use of the CAKEBOSS mark, or any mark that is similar to the CAKEBOSS mark.
14 Plaintiff was told that Defendant Discovery Communications would not take any steps to
15 address Plaintiff's concerns.
16

17 30. On or about March 30, 2009, Plaintiff emailed Defendant Valastro informing him of their
18 prior rights to the CAKEBOSS name and requesting that he speak to the Cake Boss
19 television show's producers to get the name of the television show changed. Defendant
20 Valastro responded to Plaintiff via email the same day, indicating that he was sorry to hear
21 about Plaintiff's plight and requesting Plaintiff to call him. Defendant Valastro provided
22 his phone number.
23

24 31. On or about March 30, 2009, Plaintiff telephoned Defendant Valastro and requested that
25 he and his producers cease using the name Cake Boss for their upcoming show.
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1 Defendant Valastro expressed his regrets for the difficult situation Plaintiff was
2 experiencing due to the show and indicated he would speak to the show's producers about
3 the infringing name.

4 32. On or about April 19, 2009, Discovery Communications and The Learning Channel first
5 aired the television series "Cake Boss." As of March 2010, the Defendants have
6 completed the second season of Cake Boss and are in production for season three.

7
8 33. The first, and all subsequent, Cake Boss television shows aired **after** the Defendants were
9 given actual notice of their infringement of Plaintiff's CAKEBOSS mark.

10 34. Defendants' use of the CAKE BOSS mark on their website to display information and
11 instruction about cake baking occurred **after** the Defendants were given actual notice of
12 their infringement of Plaintiff's CAKEBOSS mark.

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14 35. On or about September 1, 2009, Plaintiff entered into a contractual agreement with Global
15 Sugar Art to sell CAKEBOSS branded bake ware and cake decorating supplies. The
16 agreement included provisions whereby Plaintiff would receive a set percentage of sales
17 revenues derived from the sale of CAKEBOSS branded products.

18 36. On or about October 22, 2009, Global Sugar Art began selling CAKEBOSS branded bake
19 ware and cake decorating supplies.

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21 37. On or about November 13, 2009, Defendant Valastro contacted Alan Tetreault of Global
22 Sugar Art, indicating that unless Global Sugar Art ceased selling cake decorating supplies
23 branded with the CAKEBOSS trademark, The Learning Channel would send a formal
24 cease and desist letter to Global Sugar Art.

1 38. On or about December 3, 2009, Global Sugar Art ceased selling CAKEBOSS branded
2 products, citing “pressure from TLC” and “Buddy assured me they would be sending a
3 letter.”

4 39. As a result of Defendants’ actions and interference with Plaintiff’s business relationship
5 with Global Sugar Art, Plaintiff suffered a loss of income, profits, and goodwill.
6 Defendants’ acts have inhibited Plaintiff’s ability to expand its business.
7

8 40. On or about March 11, 2010, Plaintiff presented Defendants with a formal letter, again
9 requesting Defendants to cease and desist from using the CAKEBOSS or CAKE BOSS
10 mark. Defendants have refused to cease such acts.

11 41. Each time the Cake Boss television show airs, Plaintiff’s website and web server are
12 compromised due to television fans attempting to find the Cake Boss television show
13 website. Viewers click on www.cakeboss.com, but quickly divert from the page upon
14 learning that it does not belong to the television series. These quick visits to the CakeBoss
15 website cause www.cakeboss.com to lose priority in website searches.
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17 42. Plaintiff participated as a vendor in a trade show called the Austin “That Takes the Cake”
18 Show in February 2010. On information and belief, at least one producer from The
19 Learning Channel attended the same trade show.
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21 43. While Plaintiff was participating in the Austin “That Takes the Cake” Show, a confused
22 consumer approached Plaintiff to inform Plaintiff that the Cake Boss television series had
23 recently released a software program to aid bakers in managing their cake baking
24 businesses. Plaintiff’s products include of a software program which aids bakers in
25 managing their cake baking businesses. On information and belief, Defendants have not
26 released such software.
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1 44. Plaintiff has lost income, profits and goodwill due to the actions of Defendants.

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3 **IV. FIRST CAUSE OF ACTION**
4 **(Federal Trademark Infringement 15 U.S.C. §1114)**

5 45. Plaintiff hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 44.

6 46. As its first ground for relief, Plaintiff alleges federal trademark infringement under
7 Section 32(1) of the Lanham Act, 15 U.S.C. §1114(1).

8 47. CAKEBOSS is a valid, protectable trademark.

9 48. Plaintiff is the owner of federal trademark registration 3,746,204, for the mark
10 CAKEBOSS, which issued on February 9, 2010 on the Principal Register of the United
11 States Patent and Trademark Office.

12 49. Defendant used CAKE BOSS, a mark similar to CAKEBOSS without the consent of the
13 Plaintiff in a manner that is likely to cause confusion among ordinary purchasers as to the
14 source of the goods.

15 50. Defendants' actions are likely to lead the public to conclude, incorrectly, that its goods
16 originate with, or are authorized by the same party as Plaintiff's goods, which will damage
17 both Plaintiff and the public.

18 51. Defendants' unauthorized use of the CAKE BOSS mark in interstate commerce as
19 described above constitutes trademark infringement under 15 U.S.C. §1114(1) and is
20 likely to cause consumer confusion, mistake, or deception.

21 52. As a direct and proximate result of Defendants' trademark infringement, Plaintiff has
22 suffered and will continue to suffer loss of income, profits and good will and Defendants
23 have and will continue to unfairly acquire income, profits and good will.
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53. Defendants' acts of infringement will cause further irreparable injury to Plaintiff if
Defendants are not restrained by this Court from further violation of Plaintiff's rights.
Plaintiff has no adequate remedy at law.

V. SECOND CAUSE OF ACTION
(Federal Unfair Competition 15 U.S.C. §1125(a))

54. Plaintiff hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 53.

55. As its second ground for relief, Plaintiff alleges federal unfair competition under Section
41(a) of the Lanham Act, 15 U.S.C. §1125(a).

56. Defendants' unauthorized marketing and sale of its products in interstate commerce using
the CAKE BOSS mark constitute a use of false designation of origin or false
representation that wrongfully and falsely designates Defendants' products as originating
from or connected with Plaintiff, and constitutes the use of false descriptions or
representations in interstate commerce.

57. Defendants' actions constitute federal unfair competition and violate 15 U.S.C. §1125(a).

58. As a direct and proximate result of Defendants' unfair competition, Plaintiff has suffered
and will continue to suffer loss of income, profits and good will and Defendants have and
will continue to unfairly acquire income, profits and good will.

59. Defendants' acts of unfair competition will cause further irreparable injury to Plaintiff if
Defendants are not restrained by this Court from further violation of Plaintiff's rights.
Plaintiff has no adequate remedy at law.

VI. THIRD CAUSE OF ACTION
(Federal Counterfeiting 15 U.S.C. §1114)

60. Plaintiff hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 59.

1 61. As its third ground for relief, Plaintiff alleges federal counterfeiting under Section 32 of
2 the Lanham Act, 15 U.S.C. §1114.

3 62. Defendants, without the consent of Plaintiff, used in commerce a counterfeit of the
4 CAKEBOSS mark in connection with the sale, offering for sale, distribution, or
5 advertising of goods or services on or in connection with which such use is likely to cause
6 confusion, or to cause mistake, or to deceive.

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8 63. Defendants' use of such counterfeit mark was committed with knowledge that such
9 imitation is intended to cause confusion, or to cause mistake, or to deceive.

10 64. Defendants' use of the CAKE BOSS mark constitutes intentional, knowing use of a
11 counterfeit mark.

12 65. Defendants' actions constitute federal counterfeiting and violate 15 U.S.C. §1114.

13 66. As a direct and proximate result of Defendants' counterfeiting, Plaintiff has suffered and
14 will continue to suffer loss of income, profits and good will and Defendants have and will
15 continue to unfairly acquire income, profits and good will.

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17 67. Defendants' acts of counterfeiting will cause further irreparable injury to Plaintiff if
18 Defendants are not restrained by this Court from further violation of Plaintiff's rights.
19 Plaintiff has no adequate remedy at law.
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21 **VII. FOURTH CAUSE OF ACTION**
22 **(Reverse Confusion)**

23 68. Plaintiff hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 67.

24 69. As its fourth ground for relief, Plaintiff alleges reverse confusion under Section 32(1) of
25 the Lanham Act, 15 U.S.C. §1114(1).

26 70. CAKEBOSS is a valid, protectable trademark.
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1 71. Plaintiff is the owner of federal trademark registration 3,746,204, for the mark
2 CAKEBOSS, which issued on February 9, 2010 on the Principal Register of the United
3 States Patent and Trademark Office.

4 72. Defendants used CAKE BOSS, a mark similar to CAKEBOSS without the consent of the
5 Plaintiff in a manner that is likely to cause confusion among ordinary purchasers as to the
6 source of the goods.

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8 73. Defendants' actions are likely to lead the public to conclude, incorrectly, that Plaintiff's
9 goods originate from Defendants, which will damage both Plaintiff and the public.

10 74. Defendants' unauthorized use of the CAKE BOSS mark in interstate commerce as
11 described above constitute reverse trademark infringement and is likely to cause consumer
12 confusion, mistake, or deception.

13 75. As a direct and proximate result of Defendants' reverse trademark infringement, Plaintiff
14 has suffered and will continue to suffer loss of income, profits and good will and
15 Defendants have and will continue to unfairly acquire income, profits and good will.

16 76. Defendants' acts of reverse trademark infringement will cause further irreparable injury to
17 Plaintiff if Defendants are not restrained by this Court from further violation of Plaintiff's
18 rights. Plaintiff has no adequate remedy at law.
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21 **VIII. FIFTH CAUSE OF ACTION**
22 **(Common Law Trademark Infringement)**

23 77. Plaintiff hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 76.

24 78. As its fifth ground for relief, Plaintiff alleges trademark infringement in violation of
25 Washington State common law.

26 79. CAKEBOSS is a valid, protectable trademark.
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1 80. Plaintiff is the owner of common law trademark rights to CAKEBOSS since as early as
2 May 1, 2007.

3 81. Defendants used CAKE BOSS, a mark similar to CAKEBOSS without the consent of the
4 Plaintiff in a manner which is likely to cause confusion among ordinary purchasers as to
5 the source of the goods.

6 82. Defendants' actions are likely to lead the public to conclude, incorrectly, that its goods
7 originate with or are authorized by the same party as Plaintiff's goods, which will damage
8 both Plaintiff and the public.

9 83. Defendants' unauthorized use of the CAKE BOSS mark in interstate commerce as
10 described above constitutes trademark infringement under Washington State common law
11 and is likely to cause consumer confusion, mistake, or deception.

12 84. As a direct and proximate result of Defendants' trademark infringement, Plaintiff has
13 suffered and will continue to suffer loss of income, profits and good will and Defendants
14 have and will continue to unfairly acquire income, profits and good will.

15 85. Defendants' acts of infringement will cause further irreparable injury to Plaintiff if
16 Defendants are not restrained by this Court from further violation of Plaintiff's rights.
17 Plaintiff has no adequate remedy at law.

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21 **IX. SIXTH CAUSE OF ACTION**
22 **(Washington Consumer Protection Act R.C.W. 19.86)**

23 86. Plaintiff hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 85.

24 87. As its sixth ground for relief, Plaintiff alleges violation of Washington's Consumer
25 Protection Act and Washington common law unfair competition, R.C.W. 19.86.020.
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1 88. Defendants' actions of restraining Plaintiff's ability to sell its product constitute unfair
2 competition and unfair or deceptive acts in the conduct of commerce.

3 89. Defendants' actions injured Plaintiff, and have the capacity to continue to injure Plaintiff.

4 90. As a direct and proximate result of Defendants' unfair competition, Plaintiff has suffered
5 and will continue to suffer loss of income, profits and good will and Defendants have and
6 will continue to unfairly acquire income, profits and good will.
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8 91. Defendants' acts of unfair competition will cause further irreparable injury to Plaintiff if
9 Defendants are not restrained by this Court from further violation of Plaintiff's rights.
10 Plaintiff has no adequate remedy at law.

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12 **X. SEVENTH CAUSE OF ACTION**
13 **(Tortious Interference with Contract)**

14 92. Plaintiff hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 91.

15 93. As its seventh ground for relief, Plaintiff alleges tortious interference with a contract or
16 business relationship.

17 94. Plaintiff had a valid contractual and business relationship.

18 95. Defendants were aware of said contractual or business relationship.

19 96. Defendants intentionally interfered with the contractual and business relationship,
20 inducing and causing termination of the relationship.
21

22 97. Plaintiff was damaged by Defendants' intentional interference with the contractual and
23 business relationship.

24 98. As a direct and proximate result of Defendants' tortious interference, Plaintiff has suffered
25 and will continue to suffer loss of income, profits and good will and Defendants have and
26 will continue to unfairly acquire income, profits and good will.
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99. Defendants' acts of tortious interference will cause further irreparable injury to Plaintiff if Defendants are not restrained by this Court from further violation of Plaintiff's rights. Plaintiff has no adequate remedy at law.

XI. RELIEF REQUESTED

Wherefore, in consideration of the foregoing, Plaintiff respectfully requests that this Court enter an Order granting it the following relief:

1. Judgment that Plaintiff's CAKEBOSS trademark has been and continues to be infringed by Defendants in violation of 15 U.S.C. §1114(1);
2. Judgment that Defendants' use of its CAKE BOSS trademark constitutes federal unfair competition in violation of 15 U.S.C. §1125(a);
3. Judgment that Defendants' use of the CAKE BOSS trademark constitutes federal counterfeiting in violation of 15 U.S.C. §1114(1);
4. Judgment that Defendants' use of its CAKE BOSS trademark violates Washington State's common law trademark infringement and common law unfair competition laws;
5. Judgment that Defendants' use of its CAKE BOSS trademark violates the Washington State Consumer Protection Act in violation of R.C.W. 19.86.020;
6. Judgment that Defendants' use of the counterfeit CAKE BOSS trademark was willful and intentional use of a mark that Defendant knew to be counterfeit;
7. Permanently enjoining and restraining Defendants and each of its agents, employees, officers, attorneys, successors, assigns, affiliates and any persons in privity or active concert or participation with any of them from using the trademark CAKEBOSS or CAKE BOSS, or any other designation alone or in

1 combination with other words or symbols, as a trademark, trade name
2 component or otherwise, to market, advertise, distribute or identify
3 Defendants' products where that designation would create a likelihood of
4 confusion, mistake or deception with Plaintiff's CAKEBOSS mark, including
5 but not limited to airing of the television show Cake Boss;

6
7 8. Pursuant to 15 U.S.C. §1116(a), directing Defendants to file with the Court and
8 serve on Plaintiff within thirty (30) days after issuance of an injunction, a
9 report in writing and under oath setting forth in detail the manner and form in
10 which Defendant has complied with the injunction;

11 9. Pursuant to 15 U.S.C. §1118, requiring Defendants and all others acting under
12 Defendants' authority, at their cost, be required to deliver up and destroy all
13 devices, literature, advertising, labels and other materials in their possession
14 bearing the infringing designation;

15
16 10. Ordering Defendants to transfer the www.facebook.com/CakeBoss domain
17 name to Plaintiff;

18 11. Awarding Plaintiff all damages sustained as the result of Defendants' acts of
19 infringement unfair competition and counterfeiting, said amount to be trebled,
20 together with prejudgment interest, pursuant to 15 U.S.C. §1117;

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22 12. Awarding Plaintiff all profits derived by Defendants from sales and revenues
23 of any kind made as a result of its infringing actions, said amount to be trebled,
24 after an accounting pursuant to 15 U.S.C. §1117;

1 13. Awarding of treble actual damages and profits pursuant to 15 U.S.C. §1117(b)
2 because Defendants' conduct was willful within the meaning of the Lanham
3 Act;

4 14. Awarding Plaintiff its attorney's fees and costs pursuant to 15 U.S.C. §1117,
5 because of the exceptional nature of this case resulting from Defendants'
6 deliberate infringing actions;

7 15. Awarding Plaintiff its attorney's fees and costs pursuant to R.C.W. 19.86.090;
8 and
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10 16. Granting Plaintiff such other and further remedies as the Court may deem just.
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13 Respectfully submitted this 10th day of March 2010.
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20 **LAW OFFICE OF K.D. LONG PLLC**

21 *Kathleen D. Long*
22

23 Kathleen Long
24 WSBA#38317
25 Attorney for Plaintiff
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EXHIBIT A

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United States of America

United States Patent and Trademark Office

CAKEBOSS

Reg. No. 3,746,204 MASTERS SOFTWARE, INC. (TEXAS CORPORATION)
Registered Feb. 9, 2010 1525 CYPRSS CREEK ROAD, SUITE H #192
CEDAR PARK, TX 78613

Int. Cls.: 9, 41 and 43 FOR: COMPUTER SOFTWARE FOR BAKERY BUSINESS MANAGEMENT, NAMELY, FINANCIAL, RECIPE, ORDER, TIME, AND CONTACT MANAGEMENT TOOLS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

FIRST USE 5-1-2007; IN COMMERCE 5-1-2007.

FOR: PROVIDING ONLINE INSTRUCTION IN THE FIELD OF BAKING CAKES VIA A GLOBAL COMPUTER NETWORK, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 5-1-2007; IN COMMERCE 5-1-2007.

FOR: PROVIDING INFORMATION IN THE FIELD OF CULINARY ARTS ABOUT BAKING FOR BAKING ENTHUSIASTS VIA A GLOBAL COMPUTER NETWORK, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 5-1-2007; IN COMMERCE 5-1-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-722,225, FILED 4-24-2009.

CAROLINE WOOD, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office